



UNITED STATES PATENT AND TRADEMARK OFFICE

Can

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,723	11/26/2003	Eugene Sindambiwe	6570P007	9776

8791 7590 02/01/2007
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

LUDWIG, PETER L

ART UNIT	PAPER NUMBER
----------	--------------

3621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/723,723

Applicant(s)

SINDAMBIWE, EUGENE

Examiner

Peter L. Ludwig

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/26/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 7 and 50 are objected to because of the following informalities: There is not a period at the end of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-13, 16-20, 23-24, and 26-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Herman et. al (U.S. Pub. No. 2002/0073043)[hereinafter Herman].
4. As per claim 1, Herman teaches a computer-implemented method comprising:
 - **receiving a request to generate a secure electronic record of a third-party transaction (Fig. 18), wherein the received request includes data associated with the third-party transaction (Fig. 9 - 720);**
 - **generating the secure electronic record of the third-party transaction (Fig. 22);**
 - **transmitting at least a portion of the secure electronic record to a client system (¶ 0012).**

Art Unit: 3621

5. As per claim 2, Herman teaches the method of claim as described above. Herman also teaches **wherein generating the secure electronic record of the third-party transaction comprises:**

- **generating a hidden part of the secure electronic record to be accessible by at least a subset of a plurality of clients (Fig. 20; ¶0727 - ¶0732; ¶0225);**
- **generating a visible part of the secure electronic record to be accessible by at least a subset of the plurality of clients (fig. 22).**

6. As per claim 3, Herman teaches the method of claim 1 as described above. Herman further teaches wherein generating the secure electronic record of the third-party transaction comprises:

- **authenticating the received data associated with the third-party transaction (Merchant verification of transaction with Key (LEDO)(¶ 0734)).**

7. As per claim 4, Herman teaches the method of claim 1 as described above., wherein generating the secure electronic record of the third-party transaction comprises:

- **generating a digital signature for the secure electronic record (¶ 0225).**

8. As per claim 5, Herman teaches the method of claim 1 as described above. Herman further teaches wherein generating the secure electronic record of the third-party transaction comprises:

- **encrypting at least a portion of the secure electronic record (¶ 0225).**

Art Unit: 3621

9. As per claim 6, Herman teaches the method of claim 1 as described above. Herman further teaches wherein generating the secure electronic record of the third-party transaction comprises:

- **providing an identifier for the secure electronic record to uniquely identify the secure electronic record (Fig. 9; ¶0116 - ¶0119).**

10. As per claim 7, Herman teaches the method of claim 1 as described above. Herman further teaches wherein generating the secure electronic record of the third-party transaction comprises:

- **generating a secure electronic receipt of the third-party transaction (Fig. 19; ¶ 0723).**

11. As per claim 8, Herman teaches the method of claim 1 as described above. Herman further teaches wherein receiving data associated with the third-party transaction further comprises:

- **receiving data associated with the third-party transaction from a first client system (Fig. 23 – Fig. 24; ¶0787 - ¶0788);**
- **receiving data associated with the third-party transaction from a second client system, wherein the second client system receives at least a portion of the data associated with the third-party transaction from the first client system (Fig. 23 – Fig. 24; ¶0787 - ¶0788).**

12. As per claim 9, Herman teaches the method of claim 1 as described above. Herman further teaches wherein receiving data associated with the third-party transaction comprises:

Art Unit: 3621

- **receiving an authentication token corresponding to the data associated with the third-party transaction (§0298 - §0304).**

13. As per claim 10, Herman teaches the method of claim 1 as described above. Herman further teaches wherein receiving data associated with the third-party transaction comprises:

- **receiving a digital signature corresponding to the data associated with the third-party transaction (§0225).**

14. As per claim 11, Herman teaches the method of claim 1 as described above. Herman further teaches wherein the secure electronic record is a secure electronic **receipt** (§ 0012).

15. As per claim 12, Herman teaches the method of claim 1 as described above. Herman further teaches wherein receiving data associated with the third-party transaction comprises:

- **receiving the data according to the HyperText Transfer Protocol (HTTP)(§0658).**

16. As per claim 13, Herman teaches the method of claim 1 as described above. Herman further teaches wherein transmitting at least a portion of the secure electronic record to a client further comprises:

- **transmitting a first portion of the secure electronic record to a first client (A Smart Receipt is delivered by a Smart Receipt Agent over a secure connection from the merchant to the Trusted Agent Server upon successful completion of a purchase and reflects the details of the transaction. It is stored in a secure database on the Trusted Agent Server and is made available to the Buyer (user) through a Trusted Agent located on his machine. The Trusted Agent Server compares the order record Limited Edition**

Art Unit: 3621

Digital Objects (LEDOs) stored in database with the Smart Receipt's LEDO to find the corresponding order record. The Smart Receipt provides the customer with detailed information about an online purchase in a standardized format. Hyperlinks embedded in the Smart Receipt enable the customer to access customer service and order status (abstract));

- **transmitting a second portion of the secure electronic record to a second client** (A Smart Receipt is delivered by a Smart Receipt Agent over a secure connection from the merchant to the Trusted Agent Server upon successful completion of a purchase and reflects the details of the transaction. It is stored in a secure database on the Trusted Agent Server and is made available to the Buyer (user) through a Trusted Agent located on his machine. The Trusted Agent Server compares the order record Limited Edition Digital Objects (LEDOs) stored in database with the Smart Receipt's LEDO to find the corresponding order record. The Smart Receipt provides the customer with detailed information about an online purchase in a standardized format. Hyperlinks embedded in the Smart Receipt enable the customer to access customer service and order status (abstract)).

17. As per claim 16, Herman teaches the method of claim 1 as described above. Herman further teaches **wherein the received request specifies at least some of a plurality of clients to which the secure electronic record is transmitted** (Fig. 1 – multiple end users; ¶ 0225, Examiner is interpreting the fact that the data is encrypted signifies a plurality of clients associated with the data because it would not be encrypted if many clients were not involved).

Art Unit: 3621

18. As per claim 17, Herman teaches the method of claim 1 as described above. Herman further teaches **wherein the received request defines a portion of the secure electronic record that is transmitted to the client** (Fig. 4 – STEP 2).

19. As per claim 18, Herman teaches the method of claim 1 as described above. Herman further teaches **encrypting, at least a portion of, the generated secure electronic record of the third-party transaction** (§ 0225).

20. As per claim 19, Herman teaches the method of claim 1 as described above. Herman further teaches **obtaining a digital signature corresponding to the received data associated with the third-party transaction** (§ 0225).

21. As per claim 20, Herman teaches the method of claim 1 as described above. Herman further teaches **authenticating the received data associated with the third-party transaction** (§ 0225).

22. As per claim 23, Herman teaches the method of claim 1 as described above. Herman further teaches **maintaining a copy of the transmitted portion of the secure electronic record to validate the transfer of the secure electronic record** (§ 0011).

23. As per claim 24, Herman teaches a system comprising:

- a secure electronic record server system to generate a secure electronic record responsive to receiving data associated with a third-party transaction (Fig. 9);
- a plurality of client systems coupled with the server system to receive the secure electronic record from the secure electronic record server system (Fig. 1 - 30).

Art Unit: 3621

24. As per claim 26, Herman teaches the system of claim 24 as described above. Herman further teaches **wherein the secure electronic record is a secure electronic receipt** (Fig. 19; ¶0723).

25. As per claim 27, Herman teaches the system of claim 24 as described above. Herman further teaches **wherein the secure electronic record server system is coupled with the plurality of client systems through the Internet** (Fig. 1).

26. As per claim 28, Herman teaches the system of claim 27 as described above. Herman further teaches wherein the secure electronic record server system comprises:

- **an authentication mechanism to authenticate the received data associated with the third-party transaction** (Merchant verification of transaction with Key (LEDO)(¶ 0734)).

27. As per claim 29, Herman teaches the system of claim 28 as described above. Herman further teaches **wherein the authentication mechanism implements, at least in part, Request For Comments 2617 to authenticate the received data associated with the third-party transaction** (¶ 0225; Examiner is interpreting the use of secure hashing as implementing RFC 2617).

28. As per claim 30, Herman teaches the system of claim 27 as described above. Herman further teaches wherein the secure electronic record server system comprises:

- **an encryption mechanism to encrypt at least a portion of the secure electronic record** (¶ 0225).

Art Unit: 3621

29. As per claim 31, Herman teaches the system of claim 30 as described above. Herman further teaches **wherein the encryption mechanism implements, at least in part, the Extensible Markup Language Encryption Standard to encrypt at least a portion of the secure electronic record** (§ 0225 and § 0724).

30. As per claim 32, Herman teaches the system of claim 27 as described above. Herman further teaches wherein the secure electronic record server system comprises:

- **a digital signature mechanism to verify that the received data associated with the third-party transaction has not been altered** (§ 0277 and § 0225).

31. As per claim 33, Herman teaches the system of claim 32 as described above. Herman further teaches **wherein the digital signature mechanism implements, at least in part, Request For Comments 3275 to verify that the received data associated with the third-party transaction has not been altered** (§ 0277 and § 0225).

32. As per claim 34, Herman teaches the system of claim 24 as described above. Herman further teaches wherein the secure electronic record server system comprises:

- **an identifier generator to provide a unique identifier for the secure electronic record** (§ 0098).

33. As per claim 35, Herman teaches the application server comprising:

- **a network interface to connect to a client system** (Fig. 1 - 30);

Art Unit: 3621

- **a processor and logic executable (§ 0003) thereon to receive a request to generate a secure electronic record of a third-party transaction from the client system (Fig. 18), wherein the received request includes data associated with the third-party transaction (Fig. 9 - 720),**
- **generate a secure electronic record of the third-party transaction (Fig. 22), and**
- **transmit at least a portion of the secure electronic record to a plurality of clients (Fig. 1 - 31 (multiple end-user or clients) and § 0724);**
- **a network interface to connect to at least one of the plurality of clients (Fig. 1 - 30).**

34. As per claim 36, Herman teaches the application server of claim 35 as described above. Herman further teaches wherein the processor and logic executable thereon to generate the secure electronic record of the third-party transaction at the server system includes logic executable thereon to:

- **authenticate the received data associated with the third-party transaction (§ 0225).**

35. As per claim 37, Herman teaches the application server of claim 35 as described above. Herman further teaches wherein the processor and logic executable thereon to generate the secure electronic record of the transaction at the server system includes logic executable thereon to:

- **reference a digital signature associated with the received data to determine whether the received data has been altered (§ 0225).**

Art Unit: 3621

36. As per claim 38, Herman teaches the application server of claim 35 as described above. Herman further teaches wherein the processor and logic executable thereon to generate the secure electronic record of the transaction at the server system includes logic executable thereon to:

- **encrypt at least a portion of the secure electronic record (§ 0225).**

37. As per claim 39, Herman teaches the application server of claim 35 as described above. Herman further teaches:

- **an identifier generator to provide a unique identifier for the secure electronic record (§ 0098).**

38. As per claim 40, Herman teaches an application server comprising:

- **means for receiving a request to generate a secure electronic record of a third-party transaction (Fig. 18), wherein the received request includes data associated with the third-party transaction (Fig. 9 – 720);**
- **means for generating the secure electronic record of the third-party transaction (Fig. 22);**
- **means for transmitting at least a portion of the secure electronic record to a plurality of client systems (§ 0012, Fig. 1).**

Art Unit: 3621

39. As per claim 41, Herman teaches the system of claim 40 as described above. Herman further teaches wherein the means for generating the secure electronic record of the third-party transaction comprises:

- **means for generating a hidden part of the secure electronic record to be accessible by a subset of the plurality of clients (The Cryptography/Security Module; ¶ 0225);**
- **means for generating a visible part of the secure electronic record to be accessible by the plurality of clients (The Cryptography/Security Module; ¶ 0225).**

40. As per claim 42, Herman teaches the system of claim 40 as described above. Herman further teaches wherein the means for generating the secure electronic record of the transaction at the server system comprises:

- **means for authenticating the received data associated with the transaction (The Cryptography/Security Module; ¶ 0225).**

41. As per claim 43, Herman teaches the system of claim 40 as described above. Herman further teaches wherein the means for generating the secure electronic record of the third-party transaction comprises:

- **means for creating a digital signature associated with the generated secure electronic record to provide an indication of whether the generated secure electronic record has been altered (The Cryptography/Security Module; ¶ 0225).**

Art Unit: 3621

42. As per claim 44, Herman teaches the system of claim 40 as described above. Herman further teaches wherein the means for generating the secure electronic record of the third-party transaction comprises:

- **means for encrypting at least a portion of the secure electronic record (The Cryptography/Security Module; ¶ 0225).**

43. As per claim 45, Herman teaches the system of claim 40 as described above. Herman further teaches wherein the means for generating the secure electronic record of the third-party transaction comprises:

- **means for providing an identifier for the secure electronic record to uniquely identify the secure electronic record (¶ 0098).**

44. As per claim 46, Herman teaches the system of claim 40 as described above. Herman further teaches wherein the means for generating the secure electronic record of the third-party transaction comprises:

- **means for generating a secure electronic receipt for the third-party transaction (Fig. 19; ¶ 0723).**

45. As per claim 47, Herman teaches an article of manufacture comprising:

- **an electronically accessible medium providing instructions (abstract) that, when executed by an apparatus, cause the apparatus to:**

Art Unit: 3621

- **receive a request to generate a secure electronic record of a third-party transaction (Fig. 18), wherein the received request includes data associated with the third-party transaction (Fig. 9 - 720);**
- **generate the secure electronic record of the third-party transaction (Fig. 22);**
- **transmit at least a portion of the secure electronic record to a plurality of clients (§ 0012).**

46. As per claim 48, Herman teaches the article of manufacture of claim 47 as described above. Herman further teaches wherein the electronically accessible medium provides further instructions that, when executed by the apparatus, **cause the apparatus to encrypt the generated secure electronic record of the third-party transaction (§ 0225).**

47. As per claim 49, Herman teaches the article of manufacture of claim 47 as described above. Herman further teaches wherein the electronically accessible medium provides further instructions that, when executed by the apparatus, **cause the apparatus to obtain an electronic signature corresponding to the received data associated with the third-party transaction (§ 0225).**

48. As per claim 50, Herman teaches the article of manufacture of claim 47 as described above. Herman further teaches wherein the electronically accessible medium provides further instructions that, when executed by the apparatus, **cause the apparatus to authenticate the received data associated with the third-party transaction (§ 0225).**

Art Unit: 3621

Claim Rejections - 35 USC § 103

49. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

50. Claims 14-15, 21-22, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herman in view of Hrobsky (Reference U on attached PTO – 892).

51. As per claim 14, Herman teaches the method of claim 1 as described above. Herman further teaches the method of transmitting at least a portion of the secure electronic record to a client (§ 0012). However, Herman does teach the transmission to a special authority.

However, Hrobsky does teach the transmission of an electronic record to a special authority (the government has announced a new method for filing taxes - through the internet. The Ministry of Finance and the Ministry of Information and Technology have designed a web-based system of tax forms that allow users to fill out and submit their taxes).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the transmission to a special authority with Reference A, for the useful purposes of faster processing time, greater accuracy, and immediate confirmation upon reception, as taught by Hrobsky.

52. As per claim 15, Herman and Hrobsky teach the method of claim 14 as described above. Herman does not teach wherein the special authority is a tax collecting authority.

Art Unit: 3621

However, Hrobsky does teach the transmission of an electronic record to a special authority tax collecting agency (the government has announced a new method for filing taxes - through the internet. The Ministry of Finance and the Ministry of Information and Technology have designed a web-based system of tax forms that allow users to fill out and submit their taxes).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the transmission to a special authority tax collecting agency with Reference A, for the useful purposes of faster processing time, greater accuracy, and immediate confirmation upon reception, as taught by Hrobsky.

53. As per claim 21, Herman teaches the method of claim 1 as described above. Herman further teaches the method of transmitting at least a portion of the secure electronic record to a client (§ 0012). However, Herman does teach the transmission to a special authority.

However, Hrobsky does teach the transmission of an electronic record to a special authority (the government has announced a new method for filing taxes - through the internet. The Ministry of Finance and the Ministry of Information and Technology have designed a web-based system of tax forms that allow users to fill out and submit their taxes).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the transmission to a special authority with Reference A, for the useful purposes of faster processing time, greater accuracy, and immediate confirmation upon reception, as taught by Hrobsky.

Art Unit: 3621

54. As per claim 22, Herman and Hrobsky teach the method of claim 21 as described above.

Herman does not teach wherein the special authority is a tax collecting authority.

However, Hrobsky does teach the transmission of an electronic record to a special authority tax collecting agency (the government has announced a new method for filing taxes - through the internet. The Ministry of Finance and the Ministry of Information and Technology have designed a web-based system of tax forms that allow users to fill out and submit their taxes).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the transmission to a special authority tax collecting agency with Reference A, for the useful purposes of faster processing time, greater accuracy, and immediate confirmation upon reception, as taught by Hrobsky.

55. As per claim 25, Herman teaches the system of claim 24 as described above. Herman does further teach a plurality of client systems (Fig. 1). Herman does not further teach wherein the plurality of client systems includes a tax collecting authority client system.

However, Hrobsky does further teach a tax collecting authority client system (the government has announced a new method for filing taxes - through the internet. The Ministry of Finance and the Ministry of Information and Technology have designed a web-based system of tax forms that allow users to fill out and submit their taxes).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the transmission to a special authority tax collecting agency

Art Unit: 3621

with Reference A, for the useful purposes of faster processing time, greater accuracy, and immediate confirmation upon reception, as taught by Hrobsky.

Examiner Note

56. Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing responses, to fully consider the reference in its entirety as potentially teaching all of part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Art Unit: 3621

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter L. Ludwig whose telephone number is 571-270-1365. The examiner can normally be reached on Mon-Fri 7:30-5:00, 1st Fri. Off, 2nd Fri. 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Nolan can be reached on 571-272-0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


MATTHEW S. GART
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600